

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

GHANIA MILLER, 95G0491,

Plaintiff,

-v-

S. DURFEE, Dep. of Administration and Acting
Superintendent; S. FURLANI, Education
Supervisor and Hearing Officer; SGT. FROST;
and T. STICKNEY, Correction Officer;

Defendants.

FILED

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U.S. DISTRICT COURT
W.D.N.Y. ROCHESTER

DECISION AND ORDER
05-CV-0478Sr

Plaintiff, who is incarcerated in the Albion Correctional Facility, has requested permission to proceed *in forma pauperis* pursuant to 28 U.S.C. § 1915(a) and has both met the statutory requirements and furnished the Court with a signed Authorization. Accordingly, plaintiff's request to proceed as a poor person is hereby granted. In addition, plaintiff's complaint has been screened by the Court with respect to the 28 U.S.C. §§ 1915(e) and 1915A criteria.

The Clerk of the Court is directed to file plaintiff's papers, and to cause the United States Marshal to serve copies of the Summons, Complaint, and this Order upon the named defendants without plaintiff's payment therefor, unpaid fees to be recoverable if this action terminates by monetary award in plaintiff's favor.

Pursuant to 42 U.S.C. § 1997e(g)(2), the defendants are directed to answer the complaint.

SO ORDERED.

Dated: Nov. 3, 2005
Rochester, New York

Charles J. Siragusa
CHARLES J. SIRAGUSA
United States District Judge